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TO: Ms. Vonda Wallace - PCT Dept FAX NO: 1 (703) 746-6711

FROM: Sean Mellino, Esq. DATE: March 17, 2005

NUMBER OF PAGES (INCLUDING THIS COVER SHEET): 5

MESSAGE: Re: Detlef P. Müller-Schulte U.S. Patent Appln. 10/509,712
U.S. Phase of PCT/EP03/03163 filed March 27, 2003
LUMINESCENT, SPHEROID, NON-AUTOFLUORESCENT
SILICA GEL PARTICLES HAVING VARIABLE EMISSION
INTENSITIES AND FREQUENCIES
Title per Prelim. Amd.: SILICA GEL PARTICLES WITH
CHANGEABLE EMISSION INTENSITIES AND EMISSION
FREQUENCIES / Our Ref. RO0909US (#90568)

With reference to our telephone conference today, March 17, 2005, we are faxing the "Combined Declaration and Power of Attorney" as executed by the inventor on September 24, 2004. You had indicated that you would use this document to advance processing of this application.

Please confirm that this document will be processed through the OIPE so that a proper official Filing Receipt will be issued for this case.

Thank you for your attention to this matter. Please do not hesitate to contact us if you require anything further with respect to this application.

PRIVILEGED AND CONFIDENTIAL

This communication is intended only for the use of the named addressee(s) and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient or the employee or agent responsible for delivering the message to the intended recipient(s), please note that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this facsimile in error, please notify us immediately by telephone (collect), and return the original message to us at the above address via the U.S. Postal Service. Thank you.

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Attorney Docket No. **RO0909US (#90568)****COMBINED DECLARATION AND POWER OF ATTORNEY**(ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL,
DIVISIONAL, CONTINUATION OR CIP)

As a below named inventor, I hereby declare that:

TYPE OF DECLARATION

This declaration is of the following type: (check one applicable item below)

- ☐ original
☐ design

NOTE: If the declaration is for an International Application being filed as a divisional, continuation or continuation-in-part application do not check any of next two items and check appropriate one of last three items.

- ☒ national stage of PCT
☐ supplemental

NOTE: If one of the following 3 items apply then complete and also attach ADDED PAGES FOR DIVISIONAL, CONTINUATION OR CIP.

- ☐ divisional
☐ continuation
☐ continuation-in-part (CIP)

INVENTORSHIP IDENTIFICATION

My residence, post office address and citizenship are as stated below next to my name, I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

TITLE OF INVENTION

**LUMINESCENT, SPHEROID, NON-AUTOFLUORESCENT SILICA GEL PARTICLES
HAVING VARIABLE EMISSION INTENSITIES AND FREQUENCIES**

SPECIFICATION IDENTIFICATION

the specification of which: (complete (a), (b), or (c))

- (a) ☐ is attached hereto.

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ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION

Germany Appln. 102 14 019.7 Filed March 30, 2002
PCT Appln. PCT/EP03/03163 Filed March 27, 2003

POWER OF ATTORNEY

4 As a named inventor, I hereby appoint D. Peter Hochberg, Reg. No. 24,603, Sean Mellino, Reg. No. 48,817, Katherine R. Vieyra, Reg. No. 47,155, and James A. Rich, Reg. No. 25,519, to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

SEND CORRESPONDENCE TO:

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(Name and telephone number)

D. Peter Hochberg
(216) 771-3800

DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

SIGNATURE(S)

1-00 Full name of first inventor: Detlef P. Müller-Schulte

D. Müller-Schulte
Inventor's signature

22-9-2004
Date

Germany
Country of Citizenship

Martelenberger Weg 8, 52066, Aachen, Germany

Residence

Martelenberger Weg 8, 52066, Aachen, Germany

Post Office Address

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- (b) ☐ was filed on as ☐ Serial No. _____ or
☐ Express Mail No. _____, as Serial No. not yet known
and was amended on _____ (if applicable).
(c) ☒ was described and claimed in PCT International Application
No. **PCT/EP03/03163** filed on **March 27, 2003**
and as amendment under PCT Article 19 on _____ (if any).

ACKNOWLEDGEMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Sec. 1.56(a).

- ☐ In compliance with this duty there is attached an information disclosure statement. 37 CFR 1.97.

PRIORITY CLAIM

I hereby claim foreign priority benefits under Title 35, United States Code, Sec. 119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

(complete (d) or (e))

- (d) ☐ no such applications have been filed.
(e) ☒ such applications have been filed as follows

NOTE: Where item (c) is entered above and the International Application which designated the U.S. claimed priority check item (e), enter the details below and make the priority claim.

EARLIEST FOREIGN APPLICATION(S), IF ANY FILED WITHIN 12 MONTHS (6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION

COUNTRY	APPLICATION NO.	DATE OF FILING (month, day, year)	PRIORITY CLAIMED UNDER 37 USC 119
_____	_____	_____	() YES NO ()
_____	_____	_____	() YES NO ()
_____	_____	_____	() YES NO ()

CHECK PROPER BOX(ES) IF ANY OF THE FOLLOWING ADDED PAGE(S)
FORM A PART OF THIS DECLARATION

- () Signature for sixth and subsequent joint inventors. Number of pages added _____.
- () Signature by administrator(trix), executor(trix) or legal representative of deceased or incapacitated inventor. Number of pages added _____.
- () Signature for inventor who refuses to sign or cannot be reached by person authorized under 37 CFR 1.47. Number of pages added _____.

- () Added pages to combined declaration and power of attorney for a conversion of a provisional, divisional, continuation, or continuation-in-part (CIP) application. (Not required if modifications for provisional incorporated herein.)
- () Number of pages added _____.

If no further pages form a part of this Declaration then end this Declaration with this page and check the following item.

(X) This declaration ends with this page.

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